

MEMORANDUM

DATE: December 20, 2007

TO: David Lowe, Project Engineer

FROM: Steve Conkling, LSA Associates, Inc.

SUBJECT: The Need for Traditional Cultural Property Evaluations for *Panhe* and Trestles in the vicinity of the Foothill Corridor-South (FTC-S), as Requested by California Coastal Commission Staff

The Staff Report identifies the need for Traditional Cultural Property (TCP) Evaluations for *Panhe* and Trestles Beach. This memorandum is intended to explain why the California Coastal Commission has adequate information to evaluate the impacts to cultural resources and to assess the reasonableness of the mitigation measures in the absence of additional TCP evaluations.

Panhe

The status of *Panhe* as a TCP is not in question: it is recognized by the fact that the San Mateo Archaeological District (SMAD) has been determined eligible under both Criteria A and D. The Criterion A eligibility is centered on the status of the site as *Panhe* (an ethnographic village) and is based on oral descriptions and traditional use. Since the eligibility of the District has been established, the impacts have been assessed in accordance with that status.

The project is consistent with the requirement in Section 30244 of the Coastal Act that “reasonable mitigation” be required through the project’s compliance with Section 106 of the National Historic Preservation act of 1966 (as amended) and 36 CFR Part 800, and by the avoidance, monitoring, preservation and recordation measures incorporated into the project. A Historic Property Treatment Plan is being prepared as part of the Section 106 compliance, and that Treatment Plan will include implementation level details of the mitigation that has been included in the project.

Trestles Surfing Area

On November 27, 2007, the Federal Highway Administration (FHWA), in consultation with Caltrans, Camp Pendleton Environmental Security and the Advisory Council on Historic Preservation, established that the boundary of the surfing use area is well outside of the Area of Potential Effect for the FTC-S project, and that other existing modern facilities (e.g., the train tracks/trestle bridge, old SR-101, and Interstate 5[I-5]) are present between the surfing use area and the FTC-S. FHWA therefore has concluded that the FTC-S project will not have any effect on the surfing use area. Therefore, a TCP Evaluation to determine the status of the surfing use area is not necessary because FTC-S is not within the area of surfing use, and the proposed FTC-S/I-5 connectors are far enough away from the surfing area that there will be no substantive indirect effects to its use.